

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOSE JAVIER VAZQUEZ,**  
**Plaintiff,**

**v.**

**THOMAS S. MCGINLEY, *et al.*,**  
**Defendants.**

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**CIVIL ACTION NO. 20-CV-6573**

**ORDER**

AND NOW, this 25th day of January, 2021, upon consideration of Plaintiff Jose Javier Vazquez's *pro se* Complaint (ECF No. 2), and for the reasons stated in the Court's Memorandum, it is **ORDERED** that:

1. The Clerk of Court is **DIRECTED** to add the following defendants to the caption: (a) the Commonwealth of Pennsylvania, and (b) the Department of Corrections.
2. Vazquez's claims against Defendant Justice Giovanni O. Campbell are **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim and as legally frivolous.
3. To the extent Vazquez raises claims against the Commonwealth of Pennsylvania and the Department of Corrections, his claims are **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim and as legally frivolous.
4. The Clerk of Court is directed to **TRANSFER** forthwith the remainder of the above-captioned case to the United States District Court for the Middle District of Pennsylvania, pursuant to 28 U.S.C. §§ 118(b), 1391(b), 1404(a), 1406(a).

5. The Motion to Proceed *In Forma Pauperis* (ECF No. 1) shall be left to the discretion of the transferee court.

**BY THE COURT:**

**/s/ Chad F. Kenney**

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**CHAD F. KENNEY, J.**